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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/546,575	04/10/2000	Fergal John Mohan	74937/0269804	3406

27498 7590 02/05/2004

PILLSBURY WINTHROP LLP
2475 HANOVER STREET
PALO ALTO, CA 94304-1114

EXAMINER	
CHIEU, PO LIN	

ART UNIT	PAPER NUMBER
2615	4

DATE MAILED: 02/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/546,575	MOHAN ET AL.	
	Examiner	Art Unit	
	Polin Chieu	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-19 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-19 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,3,5 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Objections

1. Claims 17-19 are objected to because of the following informalities: line 5 of claim 17 recites, "the URL therefrom.", which should be changed to "the URL therefrom;". Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 4, 6-11, 13-15, 17, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Kanazawa et al (6,580,870).

Regarding claims 1 and 9, Kanazawa et al discloses a DVD unit for playing a DVD and generating information representative of the content thereof (fig. 1); URL deriving means for receiving the information and deriving a Universal Resource Locator (URL) from the information (fig. 3); a browser for displaying the content designated by the URL (figs. 11A-B); and a media player for playing video content within the information from the DVD (S92, fig. 15).

Regarding claims 2 and 10, Kanazawa et al discloses that the URL deriving means comprises a DVD text information parser for receiving the information and parsing the information to derive data containing the URL (col. 7, line 10 – col. 8, line 46).

Regarding claims 4 and 11, Kanazawa et al discloses that the contents specified by the URL is HTML-coded (col. 2, lines 1-7).

Regarding claim 6, Kanazawa et al discloses that the media player is for displaying a menu button specified by the information from the DVD, the menu button being associated with the URL (figs. 10A-C); and the browser is for displaying the content specified by the URL responsive to user actuation of the menu button (col. 6, line 32 – col. 8, line 46).

Regarding claim 7, Kanazawa et al discloses that the URL deriving means comprises a DVD text information parser for receiving the information and parsing the information to derive data containing the URL (col. 6, line 32 – col. 8, line 46); the media player is for generating a button number message responsive to user actuation of the menu button (figs. 19A-B); and the URL deriving means further comprises an event script for receiving the message and responsive thereto calling the DVD text information parser (figs. 19A-B; i.e. the user select from the HTML content and the content is retrieved by the DVD text information parser).

Regarding claim 8, the DVD text information parser (discussed in the art rejection of claim 7); the URL deriving means is further for reading control data from the DVD, the control data including the URL (fig. 3); and the DVD text information parser is for using

the button number message to index into the control data to obtain the URL (figs. 22A-C).

Regarding claim 13, Kanazawa et al discloses a DVD unit; a browser; and a media player (discussed in the art rejection of claim 1); wherein the browser displays a hyperlink corresponding to the URL and, responsive to actuation thereof, content designated by the URL (col. 6, line 32 – col. 8, line 46); the video content including a button associated with the URL (figs. 10A-C); wherein the browser is further for displaying content designated by the URL responsive to an actuation of the button (figs. 11A-B).

Regarding claims 14-15, Kanazawa et al discloses that the information from the DVD includes positional information associated with the URL (fig. 4), wherein the position information indicates a position of the button within the DVD content (fig. 4).

Regarding claim 17, Kanazawa et al discloses a DVD unit for playing a DVD and generating information representative of the contents thereof (fig. 1); a DVD text information parser for receiving the information and, based on positional playback data in the information, parsing the information to derive the URL (col. 5, lines 10-54); a browser for displaying a hyperlink corresponding to the URL and, responsive to actuation thereof, content designated by the URL (figs. 11A and B; col. 7, line 54 – col. 8, line 33); and a media player for playing video content within the information from the DVD (S92, fig. 15).

Regarding claim 19, Kanazawa et al discloses the information includes a data structure specifying a plurality of URLs (fig. 3); and the DVD text information parser

uses the positional playback information to index into the data structure to obtain the URL (col. 13, lines 19-27).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 3, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russo et al (5,701,383).

Regarding claim 3, Kanazawa et al discloses using the indicia to index into the control data to obtain the URL (col. 13, lines 19-27). Kanazawa et al teaches stopping playback when web browsing is selected (fig. 8); however, Kanazawa et al does not disclose that the DVD causes the media player to store indicia of a current position of play within the DVD.

Russo et al teaches marking a current playback position (col. 9, lines 19). Although Russo et al does not explicitly state that the playback position is stored, one of ordinary skill in the art would recognizes that the playback position would have to be stored.

It would have been highly desirable to store the current playback position so that when resuming playback the location can be determined.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to store the current position in the device of Kanazawa et al.

Regarding claims 16 and 18, Kanazawa et al discloses a DVD unit; a URL deriving means; a browser; and a media player (as discussed previously), the video content including a plurality of buttons associated with the URLs (figs. 19A-B), the association between the buttons and the URLs being responsive to position information in the general DVD parameter register (fig. 3). However, Kanazawa et al does not discloses writing a current position of the DVD into a general DVD parameter register of the DVD unit.

Russo et al teaches storing current position information, as discussed previously.

It would have been highly desirable to store the current position so that the device could resume playback at the marked position; and the data can be used to determine the URL associated with a specified time (col. 13, lines 19-27).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have the current position stored in the device of Kanazawa et al.

6. Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanazawa et al in view of Rosen et al (6,081,264).

Regarding claims 5 and 12, Kanazawa et al does not disclose that the contents specified by the URL is streaming media content.

Rosen et al teaches streaming video using the internet (col. 1, lines 30-40).

It would have been highly desirable to have streaming content so that the user could browse video data through the internet.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have streaming media content in the device of Kanazawa et al.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Crow et al discloses a media player; RCA User's Manual discloses a marking feature; and Mobini et al, Tahara et al, Kondo et al, Yamamoto et al, Portuesi, and Ozaki et al disclose disc with web addresses.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Polin Chieu whose telephone number is (703) 308-6070. The examiner can normally be reached on M-Th 8:00 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew B. Christensen can be reached on (703) 308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

PC
January 24, 2004